

APPLICANT(S): STRASMAN, Nery, et al.
SERIAL NO.: 10/693,509
FILED: October 24, 2003
Page 14

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims **1, 3-54, 56-105** and **110-111** are pending. Claims **1, 3-54, 56-105** and **110-111** have been rejected. Claims **1, 7, 40, 47, 54, 61, 92, 93, 94, 95, 96, 97, 98, 99** and **110-111** have been amended.

Claims **1** and **54** have been amended by changing the terms 'first type' and 'second type' to 'encrypted' and 'non-encrypted'.

Claims **7, 61, 110-111** were amended as to conform with amended claims 1 and 54.

Claims **40, 47, 92** and **99** were amended to indicate that the multiple layers provide at least one of a spatial scalability and a temporal scalability.

Claims **93-98** have been voluntarily amended due to a typographical error.

APPLICANT(S): STRASMAN, Nery, et al.
SERIAL NO.: 10/693,509
FILED: October 24, 2003
Page 15

35 U.S.C. § 103 Rejections

Rejection of claims 1, 3-39, 54, 56-91 and 110-111

In the Office Action, the Examiner rejected claims **1, 3-39, 54, 56-91** and **110-111** under 35 U.S.C. § 103(a), as being unpatentable over Zhang et al (US Patent 6,891,854) in view of Bennett et al (US Patent 6,421,359).

Applicants respectfully traverse the rejection of claims **1, 3-39, 54, 56-91** and **110-111** under Zhang et al in view of Bennett et al.

Zhang teaches a bit rate converter that adjusts the bit rate of the input signal to match the bit rate of the communication channel. The bit rate convertor adjusts the bit rate by making modifications to the **video portion** of the bit stream. The bit rate converter first separates the bit stream into video, audio and data portions and then decodes and extracts only the video data. The data is then modified to change the bit rate, and then encoded and combined with the other portions (audio and data) that make up the bit stream.

Nor Zhang neither Bennett, alone or in cousin, teach or suggest a set of video streams with two types of stream components – one encrypted and the other non-encrypted– as recited in amended independent claims **1** and **54**.

As argued by the Examiner, Zhang teaches a video stream and a data stream, which is unlike the video stream of the current application which comprises both encrypted media stream components and non-encrypted media stream components. Zhang does not even teach encrypted media streams, not to mention partially encrypted media stream.

It should be noted that encoding of video streams is different than encrypting video streams.

Bennett teaches three types of streams: video, audio and data stream. These types of streams differ from the encrypted and non-encrypted stream components of the current application. Bennett, as well as Zhang, doesn't teach encrypted media streams.

Nor Zhang neither Bennett teach or suggest "applying **a modification process on the non-encrypted media stream components**, so as to provide at least one modified non-

APPLICANT(S): STRASMAN, Nery, et al.
SERIAL NO.: 10/693,509
FILED: October 24, 2003
Page 16

encrypted media stream component; and multiplexing at least the encrypted media stream components and the modified non-encrypted media stream components.", as recited in independent amended claims **1** and **54**.

Zhang describes the bit rate converter in column 6 lines 51-54 that performs a modification that alters the encoding type of the entire video stream.

An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (M.P.E.P. §2142). Since Zhang or Bennett, alone or in combination, does not teach or suggest all the elements of any of independent claims **1** and **54**, the Examiner fails to establish a prima facie showing that Zhang or Bennett, alone or in combination, teach or suggest every feature of claims **1** and **54**.

Therefore, Applicants respectfully assert that claims **1** and **54** are likewise allowable.

Claims **3-39**, **56-91** and **110-111** depend from, directly or indirectly, claims **1** and **54**, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims **3-39**, **56-91** and **110-111** are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claims **1** and **54** and to claims **3-39**, **56-91** and **110-111** dependent thereon.

Rejection of claims 40-53 and 92-105

In the Office Action, the Examiner rejected claims **40-53** and **92-105** under 35 U.S.C. § 103(a), as being unpatentable over Zhang et al (US Patent 6,795,506) in view of Kollmyer et al (US Patent 7,165,1751).

Applicants respectfully traverse the rejection of claims **40-53** and **92-105** under Zhang et al in view of Kollmyer et al.

Amended claims **40**, **47**, **92** and **99** indicate that the multiple layers provide at least one of a spatial scalability and a temporal scalability.

Neither one of Kollmyer and Zhang teaches a conversion of a media stream to multiple layers that provide at least one of a spatial scalability and a temporal scalability.

APPLICANT(S): STRASMAN, Nery, et al.
SERIAL NO.: 10/693,509
FILED: October 24, 2003
Page 17

Therefore, Applicants respectfully assert that claims **40, 47, 92** and **99** are likewise allowable.

Claims **41-46, 48-53, 93-98** and **100-105** depend from, directly or indirectly, claims **40, 47, 92** and **99**, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims **41-46, 48-53**, and **100-105** are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to independent claims **40, 47, 92 and 99** and to claims **41-46, 48-53, 93-98** and **100-105** dependent thereon.

APPLICANT(S): STRASMAN, Nery, et al.
SERIAL NO.: 10/693,509
FILED: October 24, 2003
Page 18

Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

/Oren Reches/
Oren Reches
Attorney/Agent for Applicants
Registration No. 53,506

Dated: July 30, 2009

Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801